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Australia

Food and Agricultural Import Regulations and Standards

New Organization will replace ANZFA 2002

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Report Highlights:

In mid-2002, the Australia New Zealand Food Authority will be replaced by Food Standards Australia New Zealand.

Includes PSD changes: No
Includes Trade Matrix: No
Unscheduled Report
Canberra [AS1], AS

The Change to Food Standards Australia New Zealand

In mid-2002, the Australia New Zealand Food Authority (ANZFA) will be replaced by Food Standards Australia New Zealand (FSANZ). Both Board membership and the way that standards are developed will change as part of a broader package of reforms to the food regulatory system in Australia. The Commonwealth Department of Health and Ageing is managing the implementation of these new regulatory arrangements.

The new arrangements are expected to be implemented in mid-2002. While a new Intergovernmental Agreement between the Commonwealth, States and Territories has been signed and the legislation amended, revisions to the Treaty with New Zealand have not been finalized. It is expected that this work will be completed by July 2002.

These reforms are the result of a Council of Australian Governments (COAG) decision in November 2000 following consideration of the Food Regulation Review (Blair Report) that was presented to government in August 1998.

There are a number of changes:

- Separation of policy from standards - one of the principal changes to the food regulatory system will be the implementation of new arrangements for the development of *policy* guidelines to apply to food standards. Currently all food standards policies are developed by the ANZFA Board. When the new system commences, the new Australia and New Zealand Food Regulation Ministerial Council (Ministerial Council) will decide on policy guidelines based on advice from a new Food Regulation Standing Committee comprising senior government officials from the Commonwealth, New Zealand, the States and the Territories. The new Ministerial Council has established other committees to assist in its tasks. The Department of Health and Ageing is developing proposals for consultation arrangements for the new Ministerial Council and Standing Committee. Once the Ministerial Council has decided on policy guidelines, these will be published on the FSANZ website. They will also be available from a new Department of Health and Ageing website www.foodregulationandpolicy.health.gov.au.

FSANZ will use the Ministerial policy guidelines when it develops or reviews food *standards*. FSANZ will not be required to consult on these policy guidelines, nor consider their regulatory impacts, but will automatically implement them in its work. ANZFA is working with the Standing Committee to help clarify the distinction between policy guidelines and technical standards matters.

- Coverage of the whole food supply chain - The new arrangements are intended to bring together, for the first time, standards for the food manufacturing industry and standards for primary producers. Arrangements are being developed to move responsibility for developing mandatory safety standards that apply to primary products to the new organization and the new Ministerial Council. It is envisaged that such standards will be developed using the same consultative and scientific processes that ANZFA currently employs to develop other standards.
- Deciding on standards - Unlike ANZFA, FSANZ will have responsibility for approving standards, and variations to standards, then notifying the Ministerial Council of any approval. The Ministerial Council may then reject, amend or seek a review of any standard notified to it by Food Standards Australia New Zealand.
- Changes to the Board - The Board of FSANZ will increase from eight to twelve. Members of the Board will be drawn from an expanded list of specialist areas - public health, food science, human nutrition, consumer affairs, food allergy, medical science, microbiology, food safety, biotechnology, veterinary science, primary food production, the food industry, food processing or retailing, small business, international trade, food regulation, consumer rights and consumer affairs policy, the National Health and Medical Research Council and government. The new arrangements for the Board include calling for nominations from prescribed organizations. The Department of Health and Ageing is implementing these new processes. The new Board will also be responsible for appointing the Managing Director of Food Standards Australia New Zealand.

Some things will not change:

- Food Standards Australia New Zealand will still develop food standards for Australia and New Zealand.
- ANZFA staff will move over to the new organization.
- Food Standards Australia New Zealand can be contacted by mail or telephone using the using the same contact details as for ANZFA.
- Reflecting its name change, Food Standards Australia New Zealand will have a new web and email address; www.foodstandards.gov.au (in Australia) and www.foodstandards.govt.nz (in New Zealand).
- In developing food standards, Food Standards Australia New Zealand will be charged with the same statutory objectives: to protect public health and safety; to provide adequate information to consumers to enable consumer choice; and to prevent misleading and deceptive conduct.

Setting of Food Standards Under the New System

The key bodies being established under the new intergovernmental Food Regulation Agreement are:

- Australia and New Zealand Food Regulation Ministerial Council (ANZFRMC) - The Ministerial Council will be comprised of Ministers representing the Australian (Commonwealth and State/Territory) and New Zealand Governments. While the new Ministerial Council will be based upon the existing Council of Health Ministers, other portfolio Ministers with an interest in issues such as primary production, consumer affairs, food processing or trade will have the opportunity to participate in the Ministerial Council with each jurisdiction confined to one vote. All jurisdictions have nominated their Health Ministers as their lead Ministers on the Ministerial Council.

The primary role of the Ministerial Council will be to establish the policy framework for the development and review of food standards for Australia and New Zealand by Food Standards Australia New Zealand. The Ministerial Council will be chaired by the Commonwealth Minister for Health with secretariat services provided by the Commonwealth Department of Health and Ageing.

- Food Regulation Standing Committee (FRSC) - FRSC comprises heads of Departments for which the respective members of the Ministerial Council have responsibility, as well as the Australian Local Government Association. FRSC will provide advice to the Ministerial Council on the development of policy relating to the regulation of food. FRSC is chaired by the Secretary of the Commonwealth Department of Health and Ageing.
- Food Standards Development and Implementation Sub-Committee (DISC) - DISC comprises heads of the appropriate Australian (Commonwealth and State/Territory) and New Zealand inspection and enforcement agencies. Local government is also represented through the Australian Local Government Association. DISC is responsible for developing implementation policy and oversees the development and implementation of a consistent approach across jurisdictions to enforcing food regulation and standards, regardless of whether food is sourced from domestic producers, export-registered establishments or from imports.
- Technical Advisory Group (TAG) - TAG is a technical advisory group of senior food officers from the Commonwealth, State, Territory and New Zealand jurisdictions. TAG provides technical advice to assist in the development of food standards and assists in the coordination, surveillance and uniform interpretation and enforcement of the Food Standards Code.